

Delfasco, Inc. has been identified as a PRP at the Site. The property was originally bought in 1980 by David B. Lilly Company, Inc. which became Delfasco, Inc. in 1998 (SDMS 829798). Delfasco operated at this Site from 1981 to 1997 (SDMS 829799). The PRP is not anticipated to be viable for future cost recovery based on prior bankruptcy filings (SDMS 9382702).

The DOJ, on behalf of EPA, filed motions in an attempt to prevent the debtor from discharging their environmental debts and responsibilities, most notably the Adversary Complaint filed on December 15, 2008 (SDMS 626366). The DOJ also filed an adversarial motion in Federal Court on March 3, 2009, to withdraw the environmental issues from the bankruptcy court and have them heard in Federal District Court (SDMS 626365).

On June 26, 2009, EPA, DOJ, and counsel for Delfasco met in mediation to discuss the case (SDMS 872045, 872044, 872046). The Plan of Liquidation of Delfasco, Inc., as amended March 4, 2010 detailed the purchase of assets from the Grand Prairie property by Delfasco, LLC. According to the bankruptcy agreement, environmental liability does not transfer with the purchase of the assets (SDMS 9382702).